

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA**

QUENTIN N. BURDICK U.S. COURTHOUSE
655 FIRST AVENUE NORTH-SUITE 210
FARGO, NORTH DAKOTA 58102

ELLEN A. JOHANSON
CLERK

TELEPHONE NUMBER 701-297-7100
FAX NUMBER 701-297-7105

WITHDRAWAL OF ATTORNEY

An attorney requesting withdrawal from a case should file a Motion for Withdrawal, give notice to the parties in interest, specifically, the client, and state within the motion whether or not an additional fee request will be made.

If no further fee application will be filed, then the Notice of Opportunity to Object will have a ten (10) day objection period.

If the Motion for Withdrawal is accompanied by a fee application, then a twenty (20) day notice period may be used for both documents.

As with any other motion procedures, an order allowing withdrawal and/or order allowing compensation can be entered if no objections are filed. If objections are filed however, the calendar clerk will schedule a hearing.

Occasionally, a Stipulation for Substitution in lieu of a Notice may be filed if the following conditions exist:

1. A motion requesting approval accompanies the Stipulation;
2. Both attorneys and the client(s) have signed the Stipulation;
3. No further fees will be requested by the original attorney; and
4. The new attorney files a Statement of Attorney pursuant to Bankruptcy Rule 2016.

Once the objection period has expired and no objections have been filed, the proposed order will be brought into the Judge for his review.